IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 8TH OCTOBER 2007 / 16TH ASWINA 1929

WP(C).No. 9007 of 2006(V)

PETITIONER:

JNANASEKHARAN, S/O. VEKITACHELAM,
KURUVIKKATTIL HOUSE, KOORKKANCHERRI VILLAGE,
THRISSUR.

BY ADV. SRI.K.K.MOHAMED RAVUF

RESPONDENTS:

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1. THE ASST.REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL) TRICHUR.

2. TRISSUR URBAN CO-OPERATIVE BANK LTD.NO.87, REPRESENTED BY THE SECRETARY, TRICHUR.

3. SPECIAL SALE OFFICER,
THRISSUR RUBAN CO-OPERATIVE BANK GROUP
OFFICE OF THE ASST.REGISTRAR OF CO-OPERATIVE SOCIETIES, THRISSUR.

4. STATE OF KERALA, REP. BY
THE SECRETARY, DEPT. OF CO-OPERATIVE SOCIETIES,
SECRETARIAT, THIRUVANANTHAPURAM.

R1 BY GOVT. PLEADER SMT. ANU SIVARAMAN.
R2 BY ADV. SRI.C.D.DILEEP,SC,TRICHUR URBN CO-OPBAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/10/2007, ALONG WITH W.P.(C). 13781/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) Nos.9007/2006 & 13781/2007

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Dated this the 8th day of October, 2007

JUDGMENT

The writ petitions being connected, they are disposed of by a common judgment.

2. The petitioner in W.P.(C) 9007 of 2006 is the son of the petitioner in the other writ petition. Loan was taken by Sri. Jnanaseelan, herein after referred to as the petitioner. His father's property was mortgaged. Since the amount was not paid, award was obtained by the respondent Bank. Petitioner has approached this court challenging the recovery proceedings and for a direction to consider and pass orders on Ext.P2 representation. He also seeks a direction to give the statement of accounts.

3. Heard learned counsel appearing for the petitioner in W.P.(C) 9007 of 2006 and the Bank. Learned counsel for the petitioner submits that the petitioner may be given the benefit of one time settlement. Thereupon it is submitted by the learned counsel for the Bank that there is no one time settlement scheme as is available and the Bank will consider the claim for reduction of interest if the petitioner moves an application.

In such circumstances, the W.P.(C) 9007 of 2006 is disposed of with a direction that if the petitioner therein files a petition seeking reduction in interest within a period of ten days from today before the second respondent, the second respondent will consider and take a decision and communicate the same to the petitioner within a period of two weeks from the date of receipt of the petition. Coercive steps will be kept in abeyance for a period of one month thereafter so as to enable the petitioner to pay off the amount due.

In view of the direction in W.P.(C) 9007 of 2007, W.P.(C) 13781 of 2007 is closed.

(K.M. JOSEPH, JUDGE)

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